

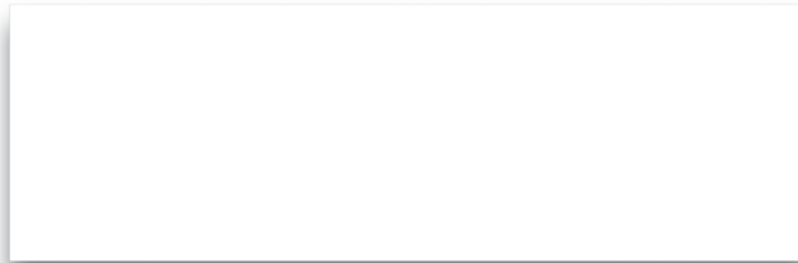
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91237315
Party	Plaintiff American Marriage Ministries
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Submission	Testimony For Plaintiff
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Signature	/Nancy V. Stephens/
Date	04/27/2021
Attachments	Exhibit X.pdf(1082971 bytes ) Exhibit Y.pdf(90230 bytes )

## EXHIBIT X



A CERTIFIED IRS 501C3 NON-PROFIT CHURCH

# BECOME A MINISTER TO PERFORM MARRIAGE

[APPLY FOR ORDINATION](#)

**659,403 Ordained Ministers**

Officiate weddings for your friends, family, and community as a minister of American Marriage Ministries. Everyone has the right to perform marriage, and to have their wedding performed by someone who shares their values and worldview. Our free ordination grants you full legal authority to conduct marriage ceremonies all across the US!



## WHAT WE BELIEVE

1. All people, regardless of race, gender, or sexual orientation, have the right to marry.
2. It is the right of every couple to choose who will solemnize their marriage.
3. All people have the right to solemnize marriage.

## HOW IT WORKS

### THREE STEPS TO OFFICIATING A WEDDING

#### 1. Get Ordained Online with AMM

American Marriage Ministries is an **IRS 501c3 Certified Church** that empowers you to perform marriage.

Our online ordination is free, fast, and your first step to becoming a wedding officiant.

**GET ORDAINED TODAY!**

#### 2. Register with the Government *(if Required)*



Our State Minister Registration pages cover everything you need to know to successfully register as a wedding minister.

#### STATE MINISTER REGISTRATION

### 3. Prepare for the Wedding Ceremony

Our wedding training pages cover all the ceremonial aspects of the wedding.

Learn everything you need to know to officiate weddings like a pro.

#### GO TO WEDDING TRAINING

## USE OUR WEDDING HELPER TO PREPARE FOR PERFORMING MARRIAGE

Planning a wedding ceremony is complicated. Get organized. Registering your wedding only takes a few seconds and lets you:

- Create and share customized wedding scripts.



- Keep a record of weddings you have officiated and share your experiences and pictures with other ministers.

[LEARN MORE](#)

BECOME AN  
AMM MINISTER

Free Online Ordination  
To Officiate Weddings.  
Get Ordained Today!

## SHARE YOUR WEDDINGS ON AMM'S WEDDING WALL

AMM's Wedding Wall is the best place on the internet to share your wedding ceremonies. Get inspired! Browse pictures, read ceremonies, and find out how our ministers created memorable moments.



ELIZABETH AND SALVATORE



WINDY POINT





WEDDING IN THE WOODS

[VIEW THE WEDDING WALL](#)

## GET INVOLVED

Our ministers' roles in their communities extend beyond officiating weddings. We are also community leaders, educators, and advocates for social justice. There are plenty of ways to support our efforts, from fighting for our **ministers' rights in Tennessee** and Virginia, to supporting other organizations that are committed to leaving this world a

AMM NOR 00881



American Marriage Ministries is one of thousands of Non-Profit Charities working in our communities. While we strive for religious and personal freedom, other organizations are working just as hard in other areas of society. We're all in this together.

Check out our [Charitable Activities](#) Page to learn more about AMM's contributions to other 501c3 Organizations, and learn what you can do to make the world a better place.

[GET INVOLVED WITH AMM](#)

## YOU HAVE QUESTIONS WE HAVE ANSWERS

### Is this Legal?

Yes! As a 501(c)3 non-profit, non-denominational church, our ability to ordain ministers is completely legal and once ordained, you have the legal right to officiate marriage ceremonies. This right is protected by the 1st amendment's religious freedom clause.

### Do I have to be “Religious”? What if I am an Atheist, etc.?

Becoming a minister with the AMM does not require you to hold any particular spiritual belief. We only ask that you agree to our organization's three tenets, which are listed on our ordination application.

### Is this really free? What's the catch?

There's no catch! This is a completely free service that we are happy to provide to our ministers. That said, please note that in some states there may be additional registration requirements beyond simply becoming a minister. In those states, you may need to order registration materials from our store.



BECOME AN  
AMM MINISTER

Free Online Ordination  
To Officiate Weddings.  
Get Ordained Today!

## ORDER YOUR OFFICIAL MINISTRY CREDENTIALS

Get hardcopies of documents and credentials that prove your standing as an Ordained Minister. In addition to wedding training materials and important forms, all our packages include your Official Ordination Certificate, Letter of Good Standing, and Minister's Manual. Premium packages include our AMM Wedding Stole, our definitive book on performing marriage, "Asked to Officiate," and much more.

We're a non-profit, and rely on your support. The proceeds from your order fund our **Charitable Activities** and help pay for Advocacy efforts on behalf of our ministers in states like Tennessee and Virginia where the fight for marriage equality is ongoing.

### MINISTER ORDINATION PACKAGE

Our most popular package. Your Minister Ordination Package contains your Ordination Certificate, Letter of Good Standing, Minister's Manual, and more!

[LEARN MORE](#)**\$45**

## **SIGNATURE WEDDING OFFICIANT PACKAGE**

Our premium officiant package. Your package contains everything in the minister ordination package as well as our officiant training book, "Asked to Officiate", and your AMM Wedding Stole.

[LEARN MORE](#)**\$95**

## **WILL YOU MARRY US GIFT PACKAGE**

Attention Couples! Order the "Will You Marry Us" package as a gift for your wedding officiant. This package has everything your officiant will need to officiate your wedding with confidence and joy.

[ORDER NOW](#)**\$95**

## WE ARE AMM

*"We believe that everyone has the right to marry and that it is the right of the couple to choose who solemnizes their marriage. Our mission is to guarantee you this right."*

American Marriage Ministries is a 501c3 non-profit constitutional church that advocates on behalf of ministers and couples' rights. We were incorporated on July 4th of 2009 with the mission of securing the rights of all people to celebrate marriages that reflect their values and beliefs. Since then, we have ordained over 659,403 ministers across the US who have advanced the AMM's mission by empowering couples to celebrate their wedding their way!

[ABOUT AMM](#)



BECOME AN  
AMM MINISTER

Free Online Ordination  
To Officiate Weddings.  
Get Ordained Today!



info@theamm.org  
206-395-9164





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**Subscribe to our newsletter!**  
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**Subscribe!**

EXHIBIT Y



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

AMERICAN MARRIAGE MINISTRIES

Opposer,

vs.

UNIVERSAL LIFE CHURCH  
MONASERY STOREHOUSE, INC.,

Applicant.

Opposition No. 91237315

Mark: GET ORDAINED  
TM Application No: 87/430,729

APPLICANT'S SUPPLEMENTAL  
OBJECTIONS AND RESPONSES TO  
OPPOSER'S FIRST SET OF REQUESTS  
FOR PRODUCTION

Applicant UNIVERSAL LIFE CHURCH MONASERY STOREHOUSE, INC., ("Applicant"), in accordance with 37 C.F.R. § 2.120 and Federal Rules of Civil Procedure 26 and 34, hereby submits the following objections and responses to the First Set of Requests for Production provided by Opposer, AMERICAN MARRIAGE MINISTRIES ("Opposer").

**PRELIMINARY STATEMENT**

1. Applicant's investigation and development of all facts and circumstances relating to this the above-captioned proceeding are ongoing. These responses and objections are made without prejudice to, and are not a waiver of, Applicant's right to rely on other facts or documents at any later state of this proceeding.

2. By making the accompanying responses and objections to Opposer's requests, Applicant does not waive, and hereby expressly reserves, its right to assert any and all objections as to the admissibility of any responses and documents into evidence in this proceeding, or in any other proceedings, on any and all grounds including, but not limited to, competency, relevancy, materiality, and privilege. Further, Applicant makes the responses and objections herein without in any way implying that it considers Opposer's requests or any responses or documents to be relevant or material to the subject matter of this proceeding.

3. Applicant will produce responsive documents only to the extent that such documents are in the possession, custody, or control of Applicant, as set forth in the Federal Rules of Civil Procedure. Applicant's possession, custody, or control does not include any constructive possession that may be conferred by Applicant's right or power to compel the production of documents or information from third parties.

4. A response to a document request stating objections and/or indicating that documents will be produced shall not be deemed or construed that there are, in fact, responsive documents, that Applicant performed any of the acts described in the document request, or definitions and/or instructions applicable to the document request, or that Applicant acquiesces in the characterization of the conduct or activities contained in the document request, or definitions and/or instructions applicable to the document request.

5. Applicant expressly reserves the right to supplement, clarify, revise, or correct any or all of the responses and objections herein, and to assert additional objections or privileges, in one or more subsequent supplemental response(s).

### **GENERAL OBJECTIONS**

1. Applicant objects to each instruction, definition, and request to the extent that it purports to impose any requirement or discovery obligation greater than or different from those under the Federal Rules of Civil Procedure, 37 CFR § 2.120, or the applicable rules of the Trademark Trial and Appeal Board.

2. Applicant objects to each request to the extent that it expressly or implicitly calls for documents outside the possession, custody, or control of Applicant.

3. Applicant objects to each request that is overly broad, unduly burdensome, or not reasonably calculated to lead to the discovery of admissible evidence.

4. Applicant objects to each instruction, definition, and request to the extent that it seeks documents protected from disclosure by the attorney-client privilege, attorney work product doctrine, or any other applicable privilege or immunity. Should any such disclosure by Applicant occur, it is inadvertent and shall not constitute a waiver of any privilege.

5. Applicant objects to each instruction, definition, and request as overbroad and unduly burdensome to the extent it seeks documents or information that are readily or more accessible to Opposer from Opposer's own files, from documents or information in Opposer's possession, or from documents or information that Opposer previously produced to Applicant. Responding to such requests would be oppressive, unduly burdensome, and unnecessarily expensive, and the burden of responding to such interrogatories is substantially the same or less for Opposer as for Applicant. This objection encompasses, but is not limited to, documents and answers to interrogatories previously produced by Opposer to Applicant, all transcripts of depositions of employees and former employees of Opposer, all correspondence between the Applicant and Opposer, all other information provided by Opposer to Applicant, and all information previously produced by Applicant to Opposer in response to discovery requests of Opposer.

6. Applicant objects to each request that calls for the production of confidential, proprietary, or trade secret information produced to the Applicant by other entities.

7. To the extent any of Opposer's requests seek documents or information that include expert material, including but not limited to survey materials, Applicant objects to any such requests as premature and expressly reserves the right to supplement, clarify, revise, or correct any or all responses to such requests, and to assert additional objections or privileges, in one or more subsequent supplemental response(s) in accordance with the time period for exchanging expert reports set by the Board.

8. Applicant objects to each requests that is vague or ambiguous.

9. Applicant incorporates by reference every general objection set forth above into each specific response set forth below. A specific response may repeat a general objection for emphasis or some other reason. The failure to include any general objection in any specific response does not waive any general objection to that request. Moreover, Applicant does not waive its right to amend its response.

### **SPECIFIC OBJECTIONS AND RESPONSES**

**REQUEST NO. 1:** All Documents requested to be identified in Opposer's First Set of Interrogatories.

**RESPONSE:** Applicant objects on all the grounds stated in Applicant's Responses to Opposer's First Set of Interrogatories to Applicant. Without waiving the foregoing objections, Applicant will produce non-privileged responsive documents to the extent set forth and not objected to in Applicant's Responses to Opposer's First Set of Interrogatories to Applicant.

**REQUEST NO. 2:** All Documents in the possession, custody or control of Applicant which refer to or relate to Applicant's knowledge of Opposer's use of the slogan GET ORDAINED.

**RESPONSE:** Applicant objects on the grounds that this request is vague and ambiguous in its use of "refer or relate," overly broad and unduly burdensome, and is not reasonably calculated to lead to the discovery of admissible evidence to the extent it seeks documents already in the possession of Opposer, and to the extent it seeks attorney work product and material subject to attorney-client privilege. Without waiving the foregoing objections, Applicant responds as follows:

After a reasonable search, Applicant is unaware of any non-privileged responsive documents other than those already produced by Opposer in discovery.

**REQUEST NO. 3:** All Documents in the possession, custody or control of Applicant which refer to or relate to any entity or person seeking trademark protection for the slogan GET ORDAINED.

**RESPONSE:** Applicant objects on the grounds that this request is vague and ambiguous in its use of “refer or relate,” is overly broad and unduly burdensome to the extent it seeks documents already in the possession of Opposer, and to the extent it seeks attorney work product and material subject to attorney-client privilege. Without waiving the foregoing objections, Applicant will produce non-privileged responsive documents that have not already been produced to Opposer or Opposer’s counsel.

**REQUEST NO. 4:** All Documents in the possession, custody or control of Applicant which refer or relate to any plans of Applicant to expand or extend its use of the mark GET ORDAINED beyond current use on its website.

**RESPONSE:** Applicant objects on the grounds that this request is vague and ambiguous in its use of “refer or relate” and “on its website,” is overly broad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence because Applicant’s plans to expand or extend use bear no relation to the alleged generic or descriptive nature of the GET ORDAINED trademark, to the extent it seeks confidential and proprietary trade secret material, and to the extent it seeks attorney work product and material subject to attorney-client privilege. Without waiving the foregoing objections, Applicant will produce non-privileged responsive documents that do not contain confidential or proprietary trade secret material.

**REQUEST NO. 5:** All Documents in the possession, custody or control of Applicant which refer or relate to any use or plans of Applicant to use the mark GET ORDAINED to require that competitors cease use of GET ORDAINED on their website or in marketing material.

**RESPONSE:** Applicant objects on the grounds that this request is vague and ambiguous in

its use of “refer or relate” and “use of GET ORDAINED,” is overly broad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence because Applicant’s plans to bear no relation to the alleged generic or descriptive nature of the GET ORDAINED trademark, to the extent it seeks confidential and proprietary trade secret material, and to the extent it seeks attorney work product and material subject to attorney-client privilege. Without waiving the foregoing objections, Applicant responds as follows:

After a reasonable search, Applicant is unaware of any non-privileged responsive documents.

**REQUEST NO. 6:** All Documents in the possession, custody or control of Applicant which refer or relate to any authorization, license, franchise, assignment or grant from Applicant to another person giving the other person the right to use the GET ORDAINED mark and to sell products and/or services under the GET ORDAINED mark.

**RESPONSE:** Applicant objects on the grounds that this request is vague and ambiguous in its use of “refer or relate,” is overly broad, unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence because Applicant’s plans to bear no relation to the alleged generic or descriptive nature of the GET ORDAINED trademark, to the extent it seeks confidential and proprietary trade secret material, and to the extent it seeks attorney work product and material subject to attorney-client privilege. Without waiving the foregoing objections, Applicant responds as follows:

After a reasonable search, Applicant is unaware of any responsive documents.

**REQUEST NO. 7:** All Documents in the possession, custody or control of Applicant which refer or relate to Opposer or to the use by Opposer of GET ORDAINED.

**RESPONSE:** Applicant objects on the grounds that this request is vague and ambiguous in its use of “refer or relate” and “use by Opposer of GET ORDAINED,” is overly broad, unduly burdensome, and is not reasonably calculated to lead to the discovery of admissible evidence to the extent it seeks all documents that refer or relate to Opposer and documents already in the possession of Opposer, and to the extent it seeks proprietary and confidential trade secret material, and attorney work product, and material subject to attorney-client privilege. Without waiving the foregoing

objections, Applicant responds as follows:

After a reasonable search, Applicant is unaware of any non-privileged responsive documents that refer or relate to use by Opposer of the term “get ordained,” other than those already produced by Opposer in discovery.

**REQUEST NO. 8:** All Documents in the possession, custody or control of Applicant which refer or relate to the use by persons or entities other than Opposer or Applicant of GET ORDAINED.

**RESPONSE:** Applicant objects on the grounds that this request is vague and ambiguous in its use of “refer or relate” and “GET ORDAINED,” is overly broad and unduly burdensome to the extent it seeks documents already in the possession of Opposer, and to the extent it seeks proprietary and confidential trade secret material, attorney work product, and material subject to attorney-client privilege. Without waiving the foregoing objections, Applicant responds as follows:

After a reasonable search, Applicant is unaware of any non-privileged responsive documents that refer or relate to use by persons or entities other than Opposer or Applicant of GET ORDAINED, other than those already in the possession, custody, or control of Opposer.

Dated this 14th day of November, 2018.

Respectfully submitted:

/Michael P. Matesky, II/

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Attorney for Applicant

## **CERTIFICATE OF SERVICE**

I hereby certify that I have served the foregoing document on Opposer's counsel of record by email transmission to [nancy.stephens@foster.com](mailto:nancy.stephens@foster.com) and [renee.stewart@foster.com](mailto:renee.stewart@foster.com), pursuant to Trademark Rule § 2.119(b), 37 C.F.R. § 2.119(b).

Dated this 14th day of November, 2018

/s/ Michael P. Matesky, II/  
Michael P. Matesky, II